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DS

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.
09/064,250	04/22/98	HARARI	HARARI-10745M

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ART UNIT PAPER NUMBER  
2785 2

DATE MAILED: 07/21/98

**Please find below and/or attached an Office communication concerning this application or proceeding.**

**Commissioner of Patents and Trademarks**

## Office Action Summary

Application No.

09/084,250

Applicant(s)

HARARI et al

Examiner

Phung Chung

Group Art Unit

2785

—The MAILING DATE of this communication appears on the cover sheet beneath the correspondence address—

### Period for Response

A SHORTENED STATUTORY PERIOD FOR RESPONSE IS SET TO EXPIRE 1 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a response be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for response specified above is less than thirty (30) days, a response within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for response is specified above, such period shall, by default, expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to respond within the set or extended period for response will, by statute, cause the application to become ABANDONED (35 U.S.C., § 133).

### Status

- ☐ Responsive to communication(s) filed on \_\_\_\_\_.
- ☐ This action is **FINAL**.
- ☐ Since this application is in condition for allowance except for formal matters, **prosecution as to the merits is closed** in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11; 453 O.G. 213.

### Disposition of Claims

- ☐ Claim(s) \_\_\_\_\_ is/are pending in the application.
- ☐ Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- ☐ Claim(s) \_\_\_\_\_ is/are rejected.
- ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- ☒ Claim(s) 1-62 are subject to restriction or election requirement.

### Application Papers

- ☐ See the attached Notice of Draftsperson's Patent Drawing Review, PTO-948.
- ☐ The proposed drawing correction, filed on \_\_\_\_\_ is ☐ approved ☐ disapproved.
- ☐ The drawing(s) filed on \_\_\_\_\_ is/are objected to by the Examiner.
- ☐ The specification is objected to by the Examiner.
- ☐ The oath or declaration is objected to by the Examiner.

### Priority under 35 U.S.C. § 119 (a)-(d)

- ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d).
  - ☐ All ☐ Some\* ☐ None of the CERTIFIED copies of the priority documents have been received.
  - ☐ received in Application No. (Series Code/Serial Number) \_\_\_\_\_.
  - ☐ received in this national stage application from the International Bureau (PCT Rule 1.7.2(a)).

\*Certified copies not received: \_\_\_\_\_

### Attachment(s)

- ☐ Information Disclosure Statement(s), PTO-1449, Paper No(s). \_\_\_\_\_
- ☐ Interview Summary, PTO-413
- ☐ Notice of References Cited, PTO-892
- ☐ Notice of Informal Patent Application, PTO-152
- ☐ Notice of Draftsperson's Patent Drawing Review, PTO-948
- ☐ Other \_\_\_\_\_

Office Action Summary

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1. Restriction to one of the following inventions is required under 35 U.S.C. 121:

I. Claims 1-9, drawn to a Flash EEprom for simultaneously erasing selected sectors of one or more chips, classified in class ~~365~~, subclass ~~185.33~~.

II. Claims 10-29 and 56-62, drawn to a system for correcting errors from defective cells within an array of Flash EEprom cells, classified in class 371, subclass 10.2.

III. Claims 30-55, drawn to an improved system for writing data files into a Flash EEprom memory, classified in class 371, subclass 21.1.

2. The inventions are distinct, each from the other because of the following reasons:

The invention of Group I is a Flash EEprom for simultaneously erasing selected sectors of one or more chips, which does not need to substitute defective cells with substitute cells and which does not have to determine the time since each data file was last written and move data file having the longest time since the last written from the cache memory to the Flash memory.

The invention of Group II is a system for correcting errors from defective cells within an array of Flash EEprom cells, which

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does not need to simultaneously erasing selected sectors of one or more chips and which does not have to determine the time since each data file was last written and move data file having the longest time since the last written from the cache memory to the Flash memory.

The invention of Group II is an improved system for writing data files into a Flash EEPROM memory, which does not need to simultaneously erasing selected sectors of one or more chips and which does not need to substitute defective cells with substitute cells.

Because these inventions are distinct for the reasons given above and the search required for invention of Group I is not required for the inventions of Groups II and III.

3. Applicant is advised that the reply to this requirement to be complete must include an election of the invention to be examined even though the requirement be traversed (37 CFR 1.143).

4. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Phung Chung whose telephone number is (703) 305-9686.

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the receptionist whose telephone number is (703) 305-3900.

  
PHUNG M. CHUNG  
PRIMARY EXAMINER